

concerns presentation processing of a document, operator interface processing, and screen saver display processing.

Applicant's invention reduces the time required to complete the comparison of two sources of code or text. Time is reduced by configuring two files for rapid comparison. The files are configured for rapid comparison by removing blank spaces from the code of all of the lines to be compared and also by attaching a control to the beginning of each line of code in each of the two sources prior to being compared. The two files are then compared to determine additions, deletions, and changes. The method (Group I) is computer implemented and the method is embodied in a comparison and a compression program in the apparatus claims (Groups II and III). Therefore, all three groups are properly related in one invention.

The examiner cited four reasons that the three groups are distinct. However, the examiner has not established a prima facie case that the claims in the three groups are distinct. As discussed further below, each of the examiner's four stated reasons fail to establish a prima facie case for restriction.

First, the examiner stated that the groups are distinct because in regard to I, II, and III, the process of comparing two files can be practiced by another materially different apparatus such as comparing two files within the same database. In applicant's invention a new compressed string and an old compressed string are compared, and the process of creating the compressed strings is common to each invention. Claim 18 recites a new file and an old file in the same storage medium, and Claim 25 recites a new file and an old file that are both in a "second storage medium." Therefore, the examiner has not explained how the groups differ based upon "comparing two files within the same database."

Second, the examiner states that in regard to II and III, the combination as claimed does not require the particulars of the subcombination as claimed because the subcombination requires a network environment, and the subcombination has a separate utility such as comparing the files for synchronization across the network. Claim 25 recites a first computer, having a first storage medium, and a second computer, having a second storage medium, connected by a network. The new file and the old file are located in the second storage medium and the compression and comparison programs are located in the first storage medium. The examiner has not explained how this arrangement achieves a separate utility such as comparing the files for synchronization across the network, nor how this results in patentably distinct inventions.

Third, the examiner states that the inventions have acquired a separate status in the art as shown by their different classifications. Applicant asserts that the examiner has improperly classified the invention, and that the examiner has improperly characterized the invention as set forth in the above discussion.

Fourth, the examiner states that the search required for Group III is not required for Group I or II. Claim 1 compares a plurality of sources from a new file and an old file using a compressed string. Claim 18 compares a new file compressed string and an old file compressed string in a storage medium. Claim 25 compares a new file and an old file in a "second storage medium" while the compression and comparison programs reside in a second storage medium connected to the first storage medium by a network. In each of these claims, the basic process is the same, whether claimed alone as a method or as embodied in a compression and a comparison program, and a new file and an old file are compared using the process. Therefore, the examiner has not explained how a search would be required for Group III that is not required for Group I and II.

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For the foregoing reasons, applicant submits that restriction is improper, and that examination should proceed on all claims.

Respectfully submitted,

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